

**UNITED STATES DISTRICT COURT, FOR THE
MIDDLE DISTRICT, EASTERN DIVISION. AT;
MONTGOMERY, ALABAMA**

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DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

GENE COGGINS, PRO st
1436 COUNTY RD. #299
LANETT, AL 36863
Plaintiff

V:

CRIMINAL ACTION NO. 3:07CV1010-MHT

MIKE COGGINS and
DIANNE HARRELSON
10 PAXTON DRIVE
TALLASSEE AL 36078
Defendants

**COMPLAINT FOR CRIMINAL CHARGES OF GRAND
LARCENY AND FRAUD AGAINST MIKE COGGINS AND
DIANNE HARRELSON. CREATING A CONSTITUTIONAL
VIOLATION, IN THE PROTECTION OF ONE'S PERSONAL
PROPERTY**

COMES NOW THE PLAINTIFF, GENE COGGINS WITH THIS COMPLAINT FOR
CRIMINAL ACTION AGAINST THE ABOVE DEFENDANTS MIKE COGGINS AND
DIANNE HARRELSON.

CAUSE OF ACTION:

1. THE CHARGES OF GRAND LARCENY CAME ABOUT FROM CARRYING AWAY
THE PERSONAL PROPERTY OF ANOTHER TO A VALUE IN EXCESS OF OVER
\$10,000.00, WITH THE INTENT TO FELONIOUSLY DEPRIVE THE OWNER OF IT
PERMANENTLY. FELONIOUS STEALING, TAKING AWAY ANOTHER'S PERSONAL

PROPERTY WITHOUT THE CONSENT AND AGAINST THE WILL OF THE OWNER OF SUCH PROPERTY. U.S. V: JOHNSON 140 U. S.. App D. C. 54 433, F 2d, 1160, 1163..

People V: Goodchild 68 Mic. App 226, 242, N. W. 2d, 465468 Model penal code s/s 223.4

2. THE CAUSE OF ACTION FOR FRAUD INCLUDES FALSE REPRESENTATION OF A PRESENT OR PAST FACTS MADE BY THE DEFENDANT, ACTION IN RELIANCE THEREUPON BY PLAINTIFF AND DAMAGE RESULTING TO PLAINTIFF FROM SUCH MISREPRESENTATION. Citizen's Standard Life Ins. Co. V: Gilley Tex. Civ. App. 521, S. W. 2d, 354, 356

3. THE CONSTITUTIONAL RIGHT VIOLATION CAME ABOUT FROM THE DESTRUCTION AND REMOVAL OF PRIVATE PROPERTY, UNRESTRICTED TO THE OWNERSHIP AND AGGREGATE OF CERTAIN RIGHTS WHICH ARE GUARANTEED BY THE UNITED STATES GOVERNMENT Fulton Light Heat & Power Co. V: State 65 Mis. Rep. 263, 121, N. Y. S. 536.. THE EXCLUSIVE RIGHT OF POSSESSING, ENJOYING, OR DISPOSING OF BELONGS ONLY TO THE LAND HOLDER, AND NOT THE INVASION OF ONE'S PRIVATE RIGHTS BY ANOTHER.

THE RIGHT WHICH A PARTY HAS TO INSTITUTE A JUDICIAL PROCEEDINGS, THE LEGAL EFFECT OF AN OCCURRENCE IN TERMS OF REDRESS TO A PARTY TO THE OCCURRENCE OF A SITUATION OR STATE OF FACTS WHICH WOULD ENTITLE A PARTY TO SUSTAIN LEGAL ACTION AND GIVES HIM RIGHT TO DEMAND A JUDICIAL REMEDY INN HIS BEHALF. Thompson V: Zurich Ins, Co. D. C. Minn. 309 F. Supp. 1178, 1181..

THE GUARANTEED RIGHT FOR ALL ISSUES BETWEEN THE PARTIES

PROPERTY WITHOUT THE CONSENT AND AGAINST THE WILL OF THE OWNER OF SUCH PROPERTY. U.S. V: JOHNSON 140 U. S.. App D. C. 54 433, F 2d, 1160, 1163..

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THE GUARANTEED RIGHT FOR ALL ISSUES BETWEEN THE PARTIES

WHETHER ISSUES OF LAW OR FACTS EITHER CIVIL OR CRIMINAL, MUST BE SETTLED WITH BOTH PARTIES REPRESENTED. Fed R. Civil P. 38 (a), 48, 59, Fed R. Crim. P. 23 - 33. THESE ESTABLISHED GUARANTEED DUE PROCESS OF LAW AS GIVEN IN THE UNITED STATES CONSTITUTION, WERE OT MADE TO BE DENIED OR DESTROYED BY BIAS JUDGES THAT EXCEED THEIR JOB REQUIREMENTS. U. S. V: Smith, 249, App. Supp. 515, 516.

JURISDICTION:

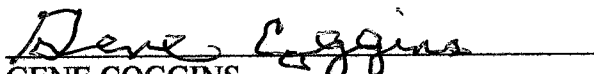
THE UNITED STATES CONSTITUTION SET UP DISTRICT COURTS FOR LOCAL CASES TO BE HEARD IN THE PROPER JURISDICTION, AND FEDERAL DISTRICT COURTS FOR CONSTITUTIONAL RIGHTS AND FEDERAL QUESTIONS AS GIVEN IN RULE 28 U. S. C. A. 81, s/s, et, Seq. TO BE PROPERLY USED FOR DIRECTIONS AND NOT TO DENY OR BLOCK ANY GUARANTEED DUE PROCESS OF LAW, AS GIVEN IN THE CONSTITUTION OF THE UNITED STATES. WHEN ANY RULE OF LAW IS COVERED IN THE GUARANTEED DUE PROCESS AS GIVEN IN THE CONSTITUTION OF THE UNITED STATES, COVERING THE RIGHT FOR EVERY CITIZEN TO BE HEARD AND HAVE THEIR DAY IN COURT, WHERE THIS CONCEPT OF THE DUE PROCESS OF LAW IS EMBODIED IN THE FIFTH AMENDMENT OF THE UNITED STATES CONSTITUTION, AND HAS PRESTIGE OVER ANY OTHER RULE OF LAW, COURT ORDERS, OR JUDGES DECISIONS, THAT ATTEMPT TO IGNORE THESE PRE-ESTABLISHED LAWS AND PRE - JUDGE A CASE BEFORE BOTH PARTIES HAVE COMPLIED TO THE COMPLAINT..

JUDGMENT:

1. SENTENCED ACCORDING TO THE ESTABLISHED LAWS GOVERNING THIS ACTION,
2. A FINE FOR DAMAGES, TRESPASSING, AND HARASSMENT, OF \$250,000.00,
3. TRIPLE FOR EVERY DELAY OVER THIRTY DAYS, OR ANY APPEAL.

CONCLUSION:


THE RIGHT FOR EVERY CITIZEN TO HAVE AND OWN PROPERTY, WITH THE GUARANTEED RIGHT TO BEAR ARMS AND DEFEND HIS PROPERTY IS GUARANTEED UNDER THE CONSTITUTION OF THE UNITED STATES. ALL OF THES RIGHTS HAVE BEEN DENIED OR DESTROYED; THEREFORE THIS COURT MUST ACT FAIRLY AND RESPONSIBLE TO CORRECT THIS INJUSTICE.


GENE COGGINS

CERTIFICATE OF SERVICE

I, HEREBY CERTIFY THAT UPON THIS DATE, I HAVE PLACED IN THE UNITED STATES MAIL WITH PROPER POSTAGE AND SENT TO LAST KNOWN ADDRESS OF DEFENDANTS, A COPY OF THIS FOREGOING ACTION, OR COUNSEL, OF RECORDS AND IN COMPLIANCE WITH FEDERAL RULE 30 (g), C. P. OF COURT..

DONE THIS 15 DAY OF NOVEMBER, 2007



GENE COGGINS

Cc:
MIKE COGGINS
PAXTON DR.
TALLASSEE, AL 36078

DIANNE COGGINS
10 PAXTON DR.
TALLASSEE, AL 36078